

AMENDED IN ASSEMBLY MARCH 16, 2010

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 2165

Introduced by Assembly Member Knight

February 18, 2010

An act to add Section 21080.30 to the Public Resources Code, relating to the environment, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 2165, as amended, Knight. Environment: California Environmental Quality Act (CEQA): exemption: High Desert Health System Multi-Service Ambulatory Care Center.

(1) The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of, an environmental impact report (EIR) on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. CEQA exempts specified projects from its requirements.

This bill would exempt from the requirements of CEQA activities or approvals of the High Desert *Health* System Multi-Service Ambulatory Care Center project. Because a lead agency would be required to determine whether this exemption applies, this bill would impose a state-mandated local program.

(2) This bill would make legislative findings and declarations as to the necessity of a special statute for the High Desert *Health* System Multi-Service Ambulatory Care Center project.

(3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

(4) This bill would declare that it is to take effect immediately as an urgency statute.

Vote: $\frac{2}{3}$. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 21080.30 is added to the Public Resources
2 Code, to read:

3 21080.30. This division does not apply to activities or approvals
4 of the High Desert Health System Multi-Service Ambulatory Care
5 Center project.

6 SEC. 2. The Legislature finds and declares that a special law
7 is necessary and that a general law cannot be made applicable
8 within the meaning of Section 16 of Article IV of the California
9 Constitution because of the lack of a health care facility in the high
10 desert region of the state and *the* need to provide a sufficient health
11 care facility to the residents of the high desert region.

12 SEC. 3. No reimbursement is required by this act pursuant to
13 Section 6 of Article XIII B of the California Constitution because
14 a local agency or school district has the authority to levy service
15 charges, fees, or assessments sufficient to pay for the program or
16 level of service mandated by this act, within the meaning of Section
17 17556 of the Government Code.

18 SEC. 4. This act is an urgency statute necessary for the
19 immediate preservation of the public peace, health, or safety within
20 the meaning of Article IV of the Constitution and shall go into
21 immediate effect. The facts constituting the necessity are:

22 Because of the lack of health care facilities in the high desert
23 area of the state and the urgent need to provide these facilities for
24 the residents of the high desert area, it is necessary for this act to

- 1 take effect immediately for the preservation of the public peace,
- 2 health and safety.

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